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5 **UNITED STATES DISTRICT COURT**
6 **SOUTHERN DISTRICT OF CALIFORNIA**
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8 PHILLIP W. DUNN,

9 Petitioner,

10 v.

11 KEN CLARK, Warden,

12 Respondent.

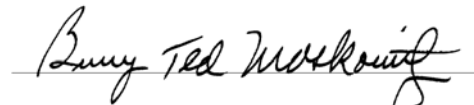
Civil No. 08cv0485-BTM (JMA)

**NOTICE REGARDING POSSIBLE
DISMISSAL FOR FAILING TO
SATISFY FILING FEE REQUIREMENT**

13 Petitioner, a state prisoner proceeding pro se, has filed a Petition for a Writ of Habeas
14 Corpus pursuant to 28 U.S.C. § 2254, but has failed to pay the \$5.00 filing fee and has failed to
15 move to proceed in forma pauperis. Because this Court cannot proceed until Petitioner has either
16 paid the \$5.00 filing fee or qualified to proceed in forma pauperis, the Court hereby notifies
17 Petitioner that this action is subject to dismissal for failing to satisfy the filing fee requirement.
18 See Rule 3(a), 28 U.S.C. foll. § 2254. If Petitioner wishes to proceed with this case, he must
19 submit, **no later than May 19, 2008**, a copy of this Order with the \$5.00 fee or with adequate
20 proof of his inability to pay the fee. The Clerk of Court shall send a blank Southern District of
21 California In Forma Pauperis Application to Petitioner along with a copy of this Order.

22 **IT IS SO ORDERED.**

23 DATED: March 24, 2008

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25 Honorable Barry Ted Moskowitz
26 United States District Judge
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